

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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**SHOP VAC CORPORATION, et al.**

vs.

**CIVIL NO. 3: 04-CV-262**

**BCL MAGNETICS, LTD.**

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**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

The Court has been advised by counsel that this action has been settled in accordance with the terms and conditions set forth upon the record on November 3, 2005. Counsel has also advised the Court that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

**ORDERED** that:

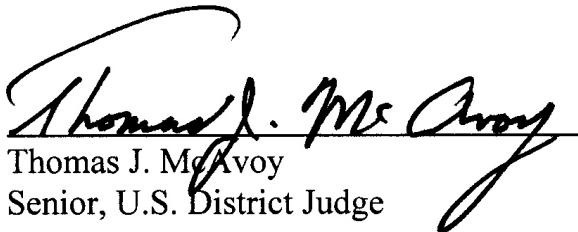
1. The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within sixty days of the date of the filing of this order upon a showing that the settlement was not consummated;

2. The dismissal of the above captioned case shall become **with prejudice** on the sixty-first day after the date of the filing of this order unless any party moves to re-open this case within sixty days of the date of filing of this order upon a showing that the settlement was not consummated. Upon completion of settlement, the parties are directed to exchange general releases and **file** a Stipulation of Discontinuance with the Court; and,

3. The Clerk shall forthwith serve by regular mail copies of this Judgment upon the attorneys for the parties appearing in this action.

**IT IS SO ORDERED.**

Dated: November 4, 2005

  
Thomas J. McAvoy  
Senior, U.S. District Judge